

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
NORTHEASTERN DIVISION**

**SABRINA F. SWOPES,**

**Petitioner,**

**V.**

**CYNTHIA WHEELER-WHITE**  
et al.,

## Respondents.

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**Case No. CV-09-CLS-RRR-1202-NE**

# MEMORANDUM OPINION

This action is before the court on the petition for writ of habeas corpus filed pursuant to 28 U.S.C. § 2254. The magistrate judge entered a report and recommendation on July 20, 2009, recommending that the action be dismissed to allow the petitioner to exhaust the remedies available to her in state court. Petitioner filed objections on August 19, 2009.

The court has considered the entire file in this action, including the report and recommendation, and has reached an independent conclusion that the report and recommendation is due to be adopted and approved. Accordingly, the court hereby adopts and approves the findings and recommendation of the magistrate judge as the findings and conclusions of this court, and the petition for writ of habeas corpus is due to be dismissed without prejudice. An appropriate order will be entered.

DONE this 29th of September, 2009.

  
United States District Judge